

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF ARKANSAS
HOT SPRINGS DIVISION**

**IN RE: BOBBY & WANDA HATTON
DEBTORS**

**Case No: 6:13-bk-72529
Chapter 13**

**NOTICE OF OPPORTUNITY TO OBJECT TO
MODIFIED PLAN BEFORE CONFIRMATION**

You are hereby notified that the captioned debtors have filed the attached modification to the plan pursuant to 11 U.S.C. § 1323 and Rule 3019 of the Rules of Bankruptcy Procedure or 11 U.S.C. § 1329. Objections to confirmation of the plan as modified must be filed with the Bankruptcy Court at 300 W. 2nd St., Little Rock, AR 72201, in writing within 21 days from the date of this notice, with copies to the attorney for the debtor(s) and to Jack Gooding, Chapter 13 Trustee, P.O. Box 8202, Little Rock, AR 72221.

If objections to the plan as modified are filed, they will be set for hearing by subsequent notice. If no objections are received, the plan as modified may be confirmed without further notice or hearing.

**HONEY LAW FIRM, P.A.
P.O. BOX 1254
HOT SPRINGS, AR 71902
(501)321-1007 phone
(501)321-1255 fax
mhubbard@honeylawfirm.com**

Date: November 15, 2013

**/s/Wm. Marshall Hubbard
WM. MARSHALL HUBBARD BAR#2011285**

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that copies of the foregoing Notice and attached Modification of Plan have been mailed to:

Jack Gooding, Ch 13 Trustee
By ECF

Dept. of Finance & Administration
Legal Division
P.O. Box 1272
Little Rock, AR 72203

Employment Security Division
Legal Department
P.O. Box 2981
Little Rock, AR 72203

Internal Revenue Service
PO Box 7346
Philadelphia, PA 19101-7346

U.S. Attorney, Western District
414 Parker Ave.
Fort Smith, AR 72901

U.S. Trustee
200 W. Capitol, Ste 1200
Little Rock, AR 72201-3618

and to all creditors whose names appear on the attached creditor matrix.

**/s/Wm. Marshall Hubbard
WM. MARSHALL HUBBARD BAR#2011285**

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MODIFICATION OF CHAPTER 13 PLAN BEFORE CONFIRMATION

Comes now the debtors by and through their attorneys, Honey Law Firm P.A., and for their modification to the original or modified Chapter 13 plan states:

1. PAYMENT TO TRUSTEE:

THE DEBTOR PROPOSES TO PAY **\$3,390.00** PER MONTH TO THE TRUSTEE BEGINNING **NOVEMBER 2013**. DEBTOR DOES NOT INTEND TO CURE ANY CALCULATED DELINQUENCY.

[Indicate how often the Debtor is paid by checking the appropriate box below:]

☐Weekly; ☐Bi-Weekly; ☐Semi-Monthly; ☒**(XX)Monthly**; ☐Other

2. PLAN LENGTH: shall remain the same at **60** months.

A debtor must pay all disposable income into the plan for the benefit of unsecured creditors for no less than 36 months (unless unsecured creditors are being paid 100%) and the plan length shall not exceed 60 months. Length of Plan may be automatically extended by the Chapter 13 Trustee without further modification should such extension be necessary to adequately fund plan in order to carry out other provisions of the plan as set forth below.

3. UNSECURED CREDITORS: are to be paid a **PRO-RATA** dividend.

(SPECIAL NON-PRIORITY UNSECURED DEBTS REMAIN UNAFFECTED)

4. MODIFIED TREATMENT OF EXISTING CREDITORS:

The following **changes** are to be made to each creditor as set out below:

Creditor Name	Change in Treatment/Classification
Department of Finance and Administration [Claim #1]	The priority claim for 1996, 2000, & 2001 sales and use tax in the amount of <u>\$23,343.50</u> shall be paid in full in accordance with 11 U.S.C. 1322(a)(2).
Diamond Bank [Claim #32]	The secured claim for the 11.5 acre and 3 acre parcels of real property in the amount of <u>\$3,683.37</u> shall be paid in full at 5.0% by monthly payments of <u>\$73.00</u>
U.S. Treasury [Claim # 36]	The secured claim for taxes owed for years 2001, 2002, 2005, 2006, 2007, 2008, and 2012 in the amount of <u>\$54,937.32</u> shall be paid in full at <u>3.0%</u> interest by monthly installments of <u>\$988.00.</u>

Eugene Parliament [claim #38]	The secured claim for the judgment lien shall be paid the full value of <u>\$23,194.89</u> at <u>6.0%</u> by monthly installments of <u>\$449.00.</u>
Department of Finance and Administration [Claim #40]	The secured claim for 2007-2008 withholding taxes in the amount of <u>\$20,964.00</u> shall be paid in full at a <u>10.0%</u> interest rate by monthly installments of <u>\$446.00.</u>
U.S. Treasury [Claim # 41]	The priority claim for tax years 2001, 2002, and 2012 in the amount of <u>\$41,546.33</u> shall be paid in full in accordance with 11 U.S.C. § 1322(a)(2).

5. **UNSECURED CREDITORS shall be paid at least as much as they would receive under Chapter 7.**
6. **OTHER PROVISIONS:** Other provisions which are not inconsistent with Title 11 of the United States Code, pursuant to 11 USC 1322(b)(11), are as follows:
- The debtors propose to sell their real and personal property for purposes of receiving the maximum value to satisfy all outstanding non-dischargeable debts in full. Debtors do not intend to discharge any debts previously determined nondischargeable, but only attempt to reorganize their debt obligations in a safe and orderly way under the protection of Title 11.
7. **ALL OTHER PROVISIONS as set forth in the last PROPOSED plan remain the same.**

Respectfully submitted,

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